The Southern PATRIOT

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A LETTER TO THE GOVERNOR OF VIRGINIA

Execution For Rape Is A Race Penalty

Southern Conference Educational Fund
822 Perdido St.
New Orleans, Louisiana

Governor John S. Battle
Governor's Mansion
Richmond, Virginia

Dear Sir:

We are writing you to request executive clemency for John Clabon Taylor, Joe Henry Hampton, Francis D. Grayson, Booker T. Millner, James Luther Hairston, Howard Lee Hairston and Frank Hairston, Jr., who are scheduled to be executed for rape on February 2 and 5.

We firmly believe that the death penalty for such an offense is a race penalty — an oppressive measure used almost exclusively against the Negro in the South.

U. S. Census Figures

It is our understanding that NAACP defense counsel has established that no white man has ever been executed for rape in Virginia. We would like to supplement this with the following statistics, based on U. S. Census Bureau reports:

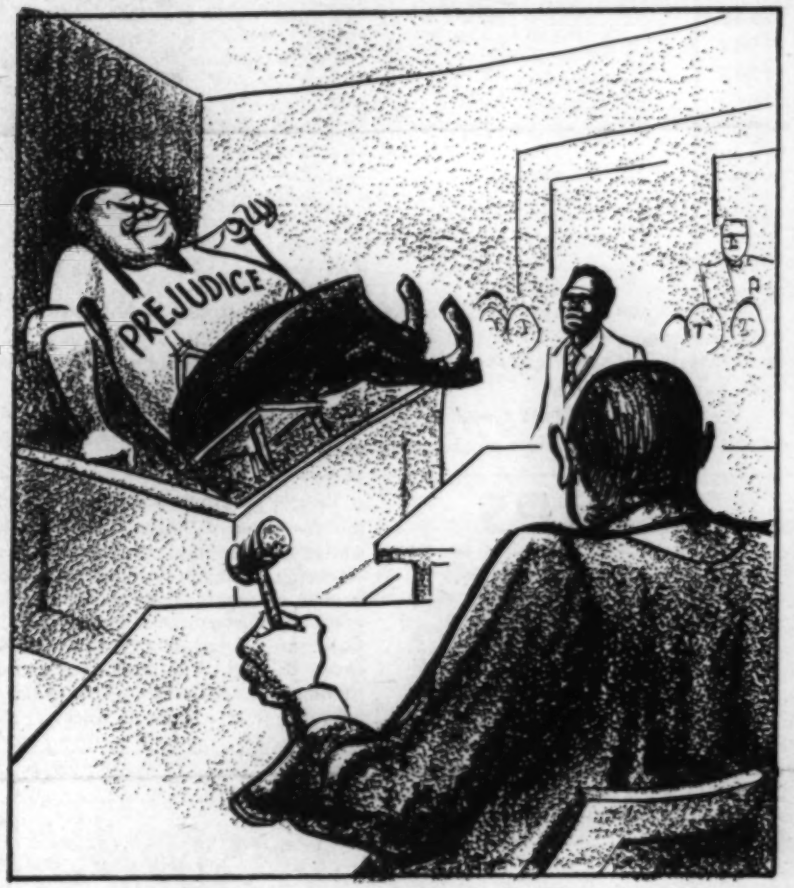
In the 13 Southern states, during the period 1938-48, 15 whites were executed for rape—as opposed to 187 Negroes.

In the same region, for the same period, 219 whites were executed for murder; 475 Negroes.

Of death sentences imposed for any crime, 51.3 per cent of the whites ultimately gained commutations—only 39.1 per cent of the Negroes were so favored.

In view of the fact that the 1940 census showed that Negroes made up only 23.8 per cent of the total population of the three Southern census divisions, we think that judicial bias and undue severity toward the Negro defendant might reasonably be deduced.

In regard to the offense with which these youths are charged, we can think of none other which better epitomizes the outworn traditional prejudice which tilts the scales of justice against their race. As several authorities in the field of race relations have observed, there is a "rape complex" in the South — a hangover from the romantic Civil War culture — which leads to every attempt by the Negro to better himself being interpreted as an insult to Southern Womanhood. How many guileful and neurotic white women have played upon this atavistic social feeling — and at what cost of innocent lives!



"Will the Prisoner Face the Jury . . ."

Therefore we respectfully request that you review the aforementioned case with compassion, keeping in mind the Negro's poignant quest for equality before the law, in your state and throughout the South. Should you decide to mitigate the sentences pronounced upon these seven, it will be an act proclaiming the reality of democracy and progress in Virginia, in the South, in America.

Respectfully yours,
James A. Dombrowski
Director

(See Table on page 2)

A Strange, Tragic Record!

Number of Executions in the Southern states of Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma and Texas for the period 1938 through 1948.

(Figures based on annual U. S. Census Bureau reports.)

	Murder		Rape	
	White	Negro	White	Negro
1938	20	46	1	23
1939	29	46	0	12
1940	14	49	0	11
1941	15	37	3	15
1942	25	41	3	18
1943	29	43	1	9
1944	16	18	2	19
1945	12	32	3	24
1946	19	51	0	17
1947	21	62	2	20
1948	19	40	0	19
TOTAL	219	475	15	187

Sixty-eight per cent of those executed for murder in this period were Negro.

Ninety-two per cent (!) of those executed for rape in this period were Negro.

According to 1940 Census figures, Negroes made up 23.8 per cent of the population of these 13 states.

TRENDS

Red Cross Blood Bank

The 4,000 employees of the UN refused to cooperate with the Red Cross in establishing a blood bank because the cards used contained a question on racial origin. Red Cross officials have stated the information is to be used for sociological rather than biological reasons. But it would appear just as relevant to ask the donor his religion as his race, for scientists have long since made it clear that race has no effect whatever on blood plasma. The **Louisville Courier Journal** in an editorial states "it would seem this ancient hoodoo would have been laid to rest forever at the end of World War II" and suggests that the head of the Red Cross "should issue a final policy statement and bury the issue forever."

* * *

Migratory Labor

A minister testified before the President's Commission on Migratory Labor at a hearing in Memphis on Sept. 1 that he had been in many homes of farm laborers and in most cases had seen nothing but "sub-standard subsistence."

The Rev. Arthur C. Churchill, Minister to Labor of the Congregational Christian Churches, of Memphis, told of seeing Mexicans "housed in chicken houses and tents, and whites and Negroes in shotgun shacks not fit for pigs, and not out of their own preference. He told of children in the fields instead of school and of a Mexican baby killed by a hauler's truck.

"The farming industry that employs them," said the minister, "is big business." These migratory workers "should have the same rights and protection as all other industrial workers."

* * *

Health Problems

In the decade between 1937 and 1947, the mortality of colored males was reduced by 27 percent, that of females by 28 percent. For whites the reduction was 17 and 26 percent, according to Louis I. Dublin, second vice-president and statistician of the Metropolitan Life Insurance Company.

Many problems still remain, however. The overall health status of the colored population lags over 20 years behind the rest of the country. The Negro death rate is strikingly higher than the white death rate. And though 10 percent of the population is Negro, only 2 percent of the physicians in active practice are of this race.

* * *

A recent health examination of 1439 Prentiss county, Miss., children reveals that at least 45 per cent of them have some physical defect, and 75 per cent have defective teeth.

In order of importance of needed treatment and special attention, the study disclosed, are malnutrition, bad tonsils, defective vision, heart disease, rheumatic fever, and skin diseases.

* * *

Dr. John Wyckoff of Bellevue medical college in New York city said that "most medical schools try to have a relationship between the racial group population in the school and the population content of the country." According to Dr. William A. Pearson of Hahnemann medical college, Philadelphia, "it is unfair to admit a disproportionate number of Jewish students."

Student Editors Launch Head-On Assault Against Jim Crow on Southern Campuses

With court orders opening the doors of the Universities of Oklahoma, Texas, and Virginia to Negro students, college newspapers have begun to re-examine their views on segregated education, reflecting growing student reaction against intolerance.

The University of Mississippi's student senate has refused to discharge the editor of the school's newspaper after he urged admission of Negroes to the state's white graduate schools.

In a recent issue of the Mississippian, the young editor, Albin Krebs, Pascagoula, Miss., called for "admission of Negroes to white graduate schools on the ground that no other facilities are available for them.

"The pigment in a man's skin should not make any difference," he concluded the editorial, which provoked the burning of a fiery cross beneath his dormitory window.

Although Rep. John Rankin called the editorial "shocking," and university authorities hastened to state that segregation is university policy, Krebs' fellow students voted to ignore a petition demanding his ouster, without taking a stand either for or against his suggestion.

Subsequently, school papers at Auburn Institute and Millsaps College have echoed Krebs' views.

Carolina Hypocrisy

The University of North Carolina's "gentleman's agreement" to enforce segregation at all public meetings has been blasted by leading student organizations there.

John Sanders, student body president, and Ed McLeod, YMCA president, issued a joint 1000-word statement denouncing the institution's "codified hypocrisy" and its "nebulous policy in race relations."

A part of the denunciation was carried in the lead editorial of the *Daily Tar Heel*, student newspaper.

The immediate cause of the furore was the cancellation of a speech by Dr. Toyohiko Kagawa, Japanese Christian evangelist. Dr. Kagawa's talk was originally scheduled for the campus before an unsegregated audience.

University officials, presumably including recently inaugurated President Gordon Gray, reaffirmed a policy of segregation at university public meetings.

Hopes that the university would live up to its liberal reputation were killed when inauguration ceremonies for then President-elect Gray were announced. No Negro educators were invited to march in the academic procession.

The university student leaders condemned the practice of segregation as a "phenomena of fear and ignorance" which they declared was the responsibility of the university to abolish.

In Georgia, Horace Ward, a graduate of Morehouse College and Atlanta University, has accepted the challenge explicit in Governor Herman Talmadge's pledge to defy the US Supreme Court's Negro education rulings by making formal application for admission to the University of Georgia law school. A court fight seems certain.

Ward turned down the Board of Regent's offer to send him to an accredited law school in another state, an arrangement in practice since the Gaines decision.

He said, "As a citizen of Georgia who seeks the kind of training made available at the university law school, I must decline the proferred out-of-state aid." He asked consideration of his application "on the basis of merit."

The *Daily Texan*, campus newspaper of the University of Texas, applied commendable common sense in commenting on the admission of Heman Sweatt to the Texas school.

"All over the South the new change is being accepted with good grace," the editorial stated. "Nowhere has there been a suggestion that race relations have been injured, rather to the contrary.

"The trend is clear. We are not unique.

"As the *Texan* said before, Southern traditionalists must now decide between good grace and poor grace . . .

"Grow with the new law. Help others to grow.

"The Supreme Court . . . had led the South into a truly courageous step toward genuine human equality.

"Time, tact, and tolerance will do the rest."

Roy Wilson, first Negro to be admitted to Louisiana State university but whose case is now being appealed by die-hard administrators, has been assimilated into campus life without a ripple of dissension.

Regardless of final outcome of the case, LSU students have indicated their readiness to accept this new development as evidenced by their eagerness to help the new student, the faculty's concurrence, and Wilson's admission to a white dormitory.

One LSU alumnus, remembering Kenny Washington and Jackie Robinson, expressed this reaction: "Good! Now maybe we can have a football team."

Also in the sports field, Duke University has announced its willingness to play its football team against teams having Negro players.

Dr. Hollis Edens, president, and Coach Wallace Wade said:

"When we schedule a team, we, of course, expect to play on fair and equal terms.

"The coaches of each team have the unquestioned right to play any eligible man they choose to play.

"We have neither the right nor the desire to ask a coach to restrict or limit his team's participation on the grounds of creed or color . . ."

Athletic Hair-Splitting

A case of athletic hair-splitting was illustrated in a University of Virginia ruling. Gregory N. Swanson, the school's one Negro student, may sit with other students at football games. He may even have his girl friend with him. But should his parents want to see the game they would be forced to occupy the special Jim Crow section of the stadium. The same situation exists at the University of Texas. Arkansas U. Negro students are still not permitted to sit with the rest of the student body.

In refreshing contrast, both the University of Oklahoma and Oklahoma A. and M. say Negro students will have the same privileges as whites and Negro athletes are welcome to try out for all teams.

Emory University's newspaper, the *Emory Wheel*, often a sharp instrument, blunted its keen edge recently, carving out illogical conclusions in an editorial on educational segregation.

After wondering if admission of Negroes will defeat racial prejudice, the *Wheel* wonders if intolerance will not make a living hell of the life of Negroes admitted to Southern schools.

Still wondering, it asks if Negroes will not be treated in the same manner that they are in the normal life of the communities where the colleges are located.

Altogether, a **wonder-full** essay. Recommended for Emory editors — read articles on the subject from papers of schools where Negroes are admitted.

NOVELIST'S VIEWS ON RACE AREN'T NOVEL

Either End Of A Slow Street Car?

The following is Mr. Arthur Gordon's reply to a note sent him commenting on the racial views expressed by the characters in his novel "Reprisal."

811 Eldorado
Clearwater Beach, Fla.
October 19 (1950)

Dear Mr. Dombrowski,

Thanks for your note and the material you sent me.

Story tellers, I'm sure you realize, cannot always include all points of view in their stories. Nor should they be understood, necessarily, to endorse the opinions expressed by all their characters.

As for Yancey's attitude toward segregation—that came from a conversation I had with the editor of the Atlanta Negro paper (the World, isn't it?) and one of his reporters in 1948—July. Yancey's remarks are a quote, almost verbatim, from one of these men or the other. It may be a rare point of view in the Negro world, but it does exist. As for the Judge, he was supposed to be a typical "Liberal" of his generation.

95% Negative

As for not including a Southerner who strongly favors the abolition of segregation, I'm afraid I considered such a character so rare that any use of him would have been misleading. Maybe I'm wrong about this; I hope so. But I really believe if I went around asking native white Southerners of all strata if they favored non-segregated schools, the replies would run about 95% negative. At least.

This attitude is not rational; it's emotional. But it certainly exists, and is a factor that must be reckoned with. Nobody knows what would happen if the Supreme Court did declare a segregated school system unconstitutional (which it certainly is); I am one of those who are afraid that there would be violence, and defiance of the law, and bitterness and vengefulness that would, in the end, do more harm than good. And it would take only a small and vicious minority to bring this about.

Perhaps I have not thought this thing through thoroughly—I am not an expert, as you probably are, on race relations. I know only that I would not object to sharing a school, a restaurant, theatre or what-have-you, with any well behaved individual of any color. But I also know that this attitude is not typical. And I think that perhaps you over-estimate the enlightenment of Southerners in general if you really think they would bow to the will of the majority in the nation in this particular instance.

I do know there are some white Southerners, such as Judge Waring in Charleston, who risk personal violence to uphold their private convictions—and I made the Negro lawyer, Pope, say something to that effect in the book. But Judge Waring's stand was concerned with the right to vote, was it not? I don't know where he stands on segregation.

I must confess (you may think I'm a Fascist, or something) that segregation itself has never struck me as being the real evil. The real evil is the inequality of facilities. If I were Negro, I really don't think I'd give a damn which end of a streetcar I sat in, so long as my end was just as clean and cheap and comfortable as the other, and furthermore no white people could intrude on my half of the car. Of course, as things stand, there never (or almost never) is any such equality. Nor is there likely to be for a long time. Because even if the whites had the will to provide such equality, they wouldn't have the money.

Dirty, Ugly Mess

If I believed that segregation could be abolished with no more than a few minor and isolated incidents in the South, I would be all for the change tomorrow. But I just don't. I think there would be a dirty, ugly, hideous mess. And I think the Negro is better off making the progress he is making in post-graduate schools (*cf.* Virginia Law this year), and counting on his performance there to justify his claim to admittance lower down the scale, than he would be smashing through the bars where he would run head on into the less enlightened masses.

It's all a matter of timing, of course. Maybe the time is ripe now. I don't think so. I think the rate of progress, maddeningly slow though it is, is just about right. Any slower, and you might get despair. Any faster, and you may get real reaction.

Sounds kind of Polly-annaish, doesn't it? Well, it's just an opinion. Which is what I think you wanted.

Yours,

(Signed) Arthur Gordon

A Howard Dean Sharply Disagrees

While the good will implicit in Mr. Gordon's letter is above reproach, the limitation of his position is shown, we think, by comparison with the following excerpts from Howard University Dean Charles H. Thompson's address at Bennett College in North Carolina:

"Negroes, being law abiding citizens, have no other recourse than to abide by the law until the law is changed.

"However, if Negroes have achieved the proper balance between accommodation and effective protest, they will allow themselves to be segregated only when they have to. They will exert themselves incessantly and to the utmost to get the law or even the custom changed.

"There is something fundamentally lacking in the education of any Negro . . . who is willing to leave his self respect in the bottom bureau drawer at home and go out to sit in some roped off area even to hear Toscanini; or sit behind some chicken wire to see Jackie Robinson and Roy Campanella; or go up some alley to get to the peanut gallery in a movie.

"Any Negro who gives aid and comfort to the enemies of democracy by gratuitous cooperation with the status quo, or any Negro who does not seize every opportunity to fight segregation and the caste system with every legitimate weapon at his command, has not only failed to achieve a proper balance between accommodation and effective protest . . . he has failed to perform the almost sacred patriotic duty of helping America to save her soul."

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